

**FILED**

AUG 7 - 2007


RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

1 BARRY J. PORTMAN  
Federal Public Defender  
2 HILARY A. FOX  
Assistant Federal Public Defender  
3 555 12th Street, Suite 650  
Oakland, CA 94607  
4 Tel: (510) 637-3500

5 Counsel for Defendant LOMACK

6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12  
Plaintiff,  
13  
v.  
14 ELBERT LOMACK,  
15  
Defendant.  
16


No. CR 98-40107 CW   
STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE STATUS  
HEARING RE: SUPERVISED  
RELEASE VIOLATION  
Date: Aug. 8, 2007  
Time: 10:00 a.m.  
Court: Hon. Wayne D. Brazil  
U.S. Magistrate Judge

17  
18  
19 Defendant Elbert Lomack and the government, through counsel, hereby stipulate and request  
20 that the further status hearing regarding defendant's compliance with supervised release conditions  
21 currently set for Wednesday, August 8, 2007, at 10:00 a.m. be continued until Friday,  
22 September 7, 2007, at 10:00 a.m., before The Hon. Wayne D. Brazil, United States Magistrate  
23 Judge. The parties request this continuance because defense counsel is out of town and will be  
24 unavailable on Wednesday the 8<sup>th</sup>. The September 7 date is the next available date for all parties.

25 The United States Probation Officer has been contacted and has no objection to the new date.  
26

1  
2 SO STIPULATED.

3 Dated: August 7, 2007

  
HILARY A. FOX  
Attorney for Defendant LOMACK

5 SO STIPULATED.

6 Dated: August \_\_, 2007

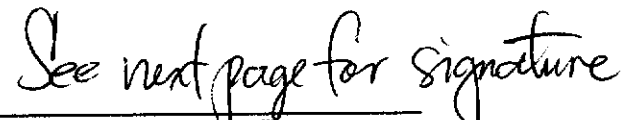
7  
8 CHINHAYI COLEMAN  
Assistant United States Attorney

9  
10  
11 **ORDER**

12 Based on the parties' above stipulation, and good cause appearing, it is hereby ORDERED  
13 that the status hearing currently set for Wednesday, August 8, 2007 at 10:00 a.m. is continued to  
14 Friday, September 7, 2007 at 10:00 a.m.

15  
16 IT IS SO ORDERED.


17 Dated: August \_\_, 2007

  
WAYNE D. BRAZIL  
United States Magistrate Judge

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

SO STIPULATED.

Dated: August 7, 2007

  
HILARY A. FOX  
Attorney for Defendant LOMACK

SO STIPULATED.

Dated: August 7, 2007

  
CHINHAYT COLEMAN  
Assistant United States Attorney

**ORDER**

Based on the parties' above stipulation, and good cause appearing, it is hereby ORDERED that the status hearing currently set for Wednesday, August 8, 2007 at 10:00 a.m. is continued to Friday, September 7, 2007 at 10:00 a.m.

IT IS SO ORDERED.

Dated: August 7, 2007

  
WAYNE D. BRAZIL  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

ELBERT LOMACK,

Defendant.

---

Case Number: CR-98-40107 CW

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 8, 2007, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the persons hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy into an inter-office delivery receptacle located in the Clerk's office.

Chinhayi J. Coleman  
US Attorney's Office, Northern District  
1301 Clay Street, Suite 340S  
Oakland, CA 94612-5217


Hilary A. Fox  
Federal Public Defender's Office  
555 - 12<sup>th</sup> Street, Ste. 650  
Oakland, CA 94607-3627

Jacqueline Sharpe  
U.S. Probation Officer  
U.S. Probation Office  
450 Golden Gate Avenue, Ste. 17-6884  
San Francisco, CA 94102

cc: Sheilah Cahill, Judge Wilken's Courtroom Deputy

Dated: August 8, 2007

Richard W. Wierking, Clerk



By: Ivy Garcia, Deputy Clerk